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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/328,007	06/08/1999	DO-YOUNG KO	Q54451	6191

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EXAMINER

WONG, ALLEN C

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/328,007

Applicant(s)

KO, DO-YOUNG

Examiner

Allen Wong

Art Unit

2613

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 November 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. **ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).**

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: 4, 5, 8 and 9.Claim(s) rejected: 1-3, 6 and 7.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____



Continuation of 5. does NOT place the application in condition for allowance because: all of the broad limitations of the claims 1-3, 6 and 7 have been addressed in the previous Office Action. Regarding page 3 of applicant's remarks, applicant argues that Kohiyama does not disclose switching portion for switching the I picture data, the picture data and the B picture data output from the decoding block to the prediction memory or the B picture memory depending on the type of picture. The examiner respectfully disagrees. Kohiyama teaches the use of a memory controller that can manage and switch the I picture data, the picture data and the B picture data output from the decoding block to the prediction memory or the B picture memory depending on the type of picture (fig.3, element 16 is memory controller that can manage the switching of image data stored in memory 17, storing the I, P and B pictures, depending on the picture type needed and that the bus 3 carries the appropriate image data for analysis and/or output). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Heimbürger and Kohiyama, as a whole, for effectively and precisely saving image data in an efficient fashion so as to conserve storage space requirements, as disclosed in Kohiyama col.6, ln.14-22. Regarding the top paragraph on page 5 of applicant's remarks, applicant states that the examiner has not addressed the motion estimator 5 has no control over field memory 3. The examiner respectfully disagrees. As previously stated, Heimbürger's col.5, ln.60 to col.7, ln.16, element 5 of fig.2 is the motion estimator that utilizes all of the data needed to analyze and process the increasing of the switching frequency of data stored in memory 3 and the outputting of the converted data. Upon perusal of fig.2, note that the output of element 5 goes to the "projection" section and then to the "temporal" section of element 2, and after the processing of all of the necessary data, the output of element 2 then produces a signal to element 3 for increasing the switching frequency of data stored in memory 3 and thus, outputting the converted data. And as far as the arguments for claim 2, since the combination of Heimbürger and Kohiyama does suggest the concepts of claim 1, the rejection of claim 2, by combination of Heimbürger, Kohiyama and Hackett, is maintained.